

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 12-10226-DJC
)	
1. JOHN KOSTA,)	
a/k/a "Costa Mihalakakis",)	
Defendant.)	

DECLARATION OF PUBLICATION

Pursuant to Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, which authorizes the manner of publication of an Order of Forfeiture in a criminal case, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on August 1, 2014 and ending on August 30, 2014. See Attachment 1.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Executed on September 5, 2014 at Boston, Massachusetts.

/s/ Doreen M. Rachal
DOREEN M. RACHAL
Assistant United States Attorney
United States Attorney's Office
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the Electronic Case Filing system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: September 5, 2014

/s/ Doreen M. Rachal
DOREEN M. RACHAL
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
COURT CASE NUMBER: CR 12-10226-DJC; NOTICE OF FORFEITURE**

Notice is hereby given that on July 22, 2014, in the case of U.S. v. JOHN KOSTA, et al., Court Case Number CR 12-10226-DJC, the United States District Court for the District of Massachusetts entered an Order condemning and forfeiting the following property to the United States of America:

one grey 2008 Chevrolet Silverado bearing vehicle identification number 1GCHK23K08F184998 (12-FBI-005894) seized from John Kosta on August 03, 2012;

one white 2010 Nissan Maxima bearing vehicle identification Number 1N4AA5AP7AC803341 and MA registration number 668-TH4 (12-FBI-005897) seized from Tamara & John Kosta on August 07, 2012, at 45 Riley Switch Road, Phillipston, Massachusetts;

one red 2008 Pontiac Grand Prix bearing vehicle identification Number 2G2WC58C981133275 (12-FBI-005898) seized from John Kosta on August 03, 2012;

the real property located at 181 Krainewood Drive, Lot 33, Moultonboro, New Hampshire, (12-FBI-005916);

\$5,333.78 in United States currency from Eastern Bank Account number XXXXXXXX1698 in the name of Costa Mihalakakis, dba My Phone Book (12-FBI-006377) seized from John Costa on August 08, 2012 at Eastern Bank, 195 Market Street, Lynn, Massachusetts;

\$26,337.09 in United States currency from TD Bank Account XXXXXXXX0064 in the name of John Kosta Real Estate Co. (12-FBI-006378) seized from John Kosta Real Estate Co. on August 14, 2012 at TD Bank, 15 Broad Street, Boston, Massachusetts;

\$4,525.23 in United States currency from Sovereign Bank Account XXXXXXXX1678 in the name of John Kosta, dba John Kosta Real Estate (12-FBI-006380) seized from John Kosta on August 09, 2012 at Sovereign Bank, P.O. Box 841005, Boston, Massachusetts;

\$14,412.84 in United States currency from Peoples United Bank Account XXXXXXXX4305 in the name of Costa Mihalakakis, aka John Kosta (12-FBI-006381) seized from Costa Mihalakakis (aka: John Kosta) on August 09, 2012 at People's United Bank, 850 Main Street, located in Bridgeport, Connecticut;

the real property located at 45 Riley Switch Road, Phillipston, Massachusetts (12-FBI-006387);

the real property located at 100 Summit Street, Orange, Massachusetts (12-FBI-006389);

the real property located at 1 Barre Road, Philipston, Massachusetts

(12-FBI-006390);

the real property located at 390 Highland Avenue, Philipston, Massachusetts (12-FBI-006391);

the real property located at parcel number 004788377 at Spring Street, Petersham, Massachusetts (12-FBI-006392);

the real property located at parcel number 004788374, Lot #2, Wellington Road, Templeton, Massachusetts (12-FBI-006393);

Various Firearms (12-FBI-008757), including the following items: one Glock handgun, bearing serial number PXG371; one Sturm Ruger handgun, bearing serial number 660-14189; one Iver Johnson Arms handgun, bearing serial number 73485; one Interarms handgun, bearing serial number L6077; one Sturm Ruger revolver, bearing serial number 174-78641; one Arms Company revolver, bearing serial number 14820; one O.F. Mossberg & Sons, Inc. shotgun Model #390KA, bearing no serial number; one O.F. Mossberg & Sons, Inc. shotgun Model #183KD, bearing serial number 205346; one Remington shotgun Model 870, bearing serial number D577964N; one Boito BR7 shotgun, bearing serial number 3052238A; one New York Arms Company shotgun, bearing serial number 63861; one Heckler & Koch Inc. .22 caliber semi-automatic assault rifle, bearing serial number HK002360; one M&P 15 semi-automatic assault rifle, bearing serial number SM28424; one M&P 15 semi-automatic assault rifle, bearing serial number SM63363; one M&P 15 semi-automatic assault rifle, bearing serial number SM23903; one Bushmaster semi-automatic assault rifle Model XM15E2S, bearing serial number BF1437064; one Bushmaster semi-automatic assault rifle Model XM15E2S, bearing serial number BF1651628; one Sig Sauer semi-automatic assault rifle Model 522, bearing serial number XA008899; one Heckler & Koch Inc. handgun Model HKP2000SK, bearing serial number 121007455; one Glock handgun Model 19, bearing serial number KVG412; one Keltec handgun Model MR30, bearing serial number W0Z82; one Sturm Ruger .357 Magnum revolver, bearing serial number 17498683; one Smith & Wesson .44 Magnum handgun, bearing serial number N870328; one Smith & Wesson MP-40 pistol, bearing serial number MRC6307; and one Smith & Wesson P2000SK Pistol, bearing serial number 122014590 seized from John Kosta on August 07, 2012 at 45 Riley Switch Road, Phillipston, Massachusetts; and

Various Ammunition (12-FBI-008758), including the following items: twenty one rounds of .22 caliber ammunition; five rounds of 9mm ammunition; fifteen rounds of 9mm hollow point ammunition; two-hundred rounds of .40 caliber ammunition; six rounds of .40 caliber hollow point ammunition; eighty-two rounds of .45 caliber ammunition; one-hundred ten rounds of .380 caliber ammunition; forty-four rounds of .380 hollow point ammunition; three-hundred eighty-one rounds of 5.56 caliber ammunition; ninety-eight rounds of .38 caliber ammunition; twenty-seven rounds of .357 caliber ammunition; forty-nine rounds of .357 caliber hollow point ammunition; fifty-three rounds of .32 caliber ammunition; fourteen rounds of .32 caliber hollow point ammunition; one round of 7.62 caliber ammunition; four-hundred and eighteen rounds of .22 caliber rifle ammunition; five 70 millimeter 12 gauge shotgun buckshot shells; ninety-five rounds of .44 magnum ammunition; seized from John Kosta on August 07, 2012 at 45 Riley Switch Road, Phillipston,

Massachusetts.

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (August 01, 2014) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, 1 Courthouse Way, Suite 2300, Boston, MA 02210, and a copy served upon Assistant United States Attorney Doreen Rachal, 1 Courthouse Way, Suite 9200, Boston, MA 02210. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between August 1, 2014 and August 30, 2014. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. JOHN KOSTA, et al.

Court Case No: CR 12-10226-DJC
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	08/01/2014	24.0	Verified
2	08/02/2014	24.0	Verified
3	08/03/2014	24.0	Verified
4	08/04/2014	24.0	Verified
5	08/05/2014	24.0	Verified
6	08/06/2014	24.0	Verified
7	08/07/2014	24.0	Verified
8	08/08/2014	24.0	Verified
9	08/09/2014	24.0	Verified
10	08/10/2014	23.9	Verified
11	08/11/2014	23.9	Verified
12	08/12/2014	24.0	Verified
13	08/13/2014	24.0	Verified
14	08/14/2014	24.0	Verified
15	08/15/2014	24.0	Verified
16	08/16/2014	24.0	Verified
17	08/17/2014	24.0	Verified
18	08/18/2014	24.0	Verified
19	08/19/2014	24.0	Verified
20	08/20/2014	21.8	Verified
21	08/21/2014	22.3	Verified
22	08/22/2014	24.0	Verified
23	08/23/2014	24.0	Verified
24	08/24/2014	24.0	Verified
25	08/25/2014	24.0	Verified
26	08/26/2014	24.0	Verified
27	08/27/2014	24.0	Verified
28	08/28/2014	24.0	Verified
29	08/29/2014	24.0	Verified
30	08/30/2014	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.